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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Note

Continuation of Section 3: Applicants' amendment filed 4/28/2008 will not be entered because it raises issues that would require further consideration under 35 U.S.C. 112 2nd paragraph. It is unclear as to what species of "modified cholesterol," is available for the claimed invention, and how the "step[s] of treating" corresponds to all "modified cholesterol" species.

In particular, claim 17 initially states that the "steroid lipid comprises modified cholesterol," wherein said modified cholesterol is "a thiol-modified cholesterol substituent, an amino-modified cholesterol substituent, a carboxy-modified cholesterol substituent, and an epoxy-modified cholesterol substituent," however the claim later sets forth limiting language consisting of "the modified cholesterol is a thiol modified cholesterol."

Therefore, it is unclear as to how the claimed invention is related to the polyurethanes containing amino, carboxy, or epoxy-modified cholesterol, and how the process comprising the treatment with epihalohydrin, and thiolating agent are related to the amino, carboxy, or epoxy-modified cholesterol. As a result, the proposed amendment raises issues under 35 U.S.C. 112 2nd paragraph, and will not be entered.

/Rabon Sergent/
Primary Examiner, Art Unit 1796